

880.15 CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY.

(a) Where a **resident of the City of Vandalia** is subject to a municipal income tax in another municipality, or to an income tax in a joint economic development zone created under Ohio R.C. [715.691] 715.161 or in a joint economic development district created under Ohio R.C. 715.70, 715.71, or 715.72, **he or she** shall not pay a total municipal income tax on the same income greater than the tax imposed at the highest rate to which he or she is subject.

(b) Every **individual taxpayer** who resides in the City of Vandalia who receives net profits, salaries, wages, commissions or other personal service compensation for work done or services performed or rendered outside the City of Vandalia, if it be made to appear that he or she has paid a municipal or joint economic development zone or district income tax on the same income taxable under this chapter to another municipality, or to a joint economic development zone created under Ohio R.C. [715.691] 715.161, or to a joint economic development district created under Ohio R.C. 715.70, 715.71, or 715.72, shall be allowed a credit against the tax imposed by this chapter of the amount so paid by him or her or in his or her behalf to such other municipality, zone or district. The credit shall not exceed the tax assessed by this chapter on such income earned in such other municipality or municipalities, zone or zones, or district or districts where such tax is paid.

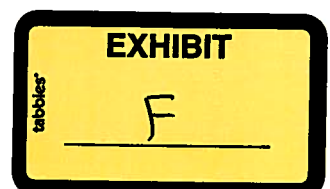
(c) Every person who is a partner of a partnership, a member of a limited liability company, or other person with an ownership interest in a pass-through entity, who has income that is taxable in the City of Vandalia on or after January 1, 2003 from such pass-through entity, if such income in the hands of the pass-through entity is taxed in another municipality, shall be allowed a credit against the tax imposed upon such person by this chapter of the amount so paid by the pass-through entity on such income. The credit shall not exceed the tax assessed by this chapter on such income taxed in such other municipality or municipalities where such tax is paid by such pass-through entity.

(d) A claim for refund or credit under this section shall be made in such manner as the Superintendent may, by regulation, provide.

(Ord. 67-26. Passed 12-4-67; Ord. 02-24. Passed 12-23-02.)

881.10 CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY; CREDIT TO RESIDENTS.

Every **individual taxpayer** who resides within the City but who earns, receives, accrues or in any other way has set aside to him any net profits, wages, salaries, commissions or other compensation for work done or services



performed within another municipality, within a joint economic development district or within a joint economic development zone and who can establish and document that the tax was properly paid to the other municipality, joint economic development district or joint economic development zone on such earnings, may claim a credit of such tax against their City income tax obligation.

(a) The credit may not exceed the amount of tax imposed by the City Income Tax Ordinance; nor shall credit be allowed for the tax paid to another city on any income of an amount higher than the City taxable income.

(b) The credit shall not be applicable to any tax year other than the tax year when the tax upon which the credit is based was paid to the other municipality, joint economic development district or joint economic development zone. There shall be no carry forward or backward of any such tax credit.

(c) No credit shall be given unless the taxpayer claims such credit on the final return and presents such evidence and documentation as the Superintendent may require of the properly due payment made to the other municipality, joint economic development district or joint economic development zone. A statement satisfactory to the Superintendent from the other taxing municipality or joint economic development district or joint economic development zone to which the taxes for which credit is claimed are paid, that a City resident or that an employer of a City resident has paid the tax, shall be considered as fulfilling the evidence and documentation of taxes paid as required in this section.

(d) There shall be no credit allowed for any tax paid that is not based on or measured by income.

(e) There shall be no credit allowed for any type of income tax paid to the Federal Internal Revenue Service, the State of Ohio or any other State, County, school district or any other taxing entity other than municipalities or Ohio joint economic development zones or joint economic development districts as created under Ohio R.C. 715.70 and 715.71.

(1) No credit will be allowed for taxes paid to joint economic development zones or to joint economic development districts outside the State of Ohio.

(2) In determining the amount of credit for taxes paid to cities outside Ohio, the taxable income on which such credit is based must be calculated in the same manner as for municipal taxes within Ohio.

(f) Where a resident of the City is subject to the tax of a municipality, or joint economic development district or joint economic development zone, and such tax is on or measured by income, the taxpayer shall not pay a total joint economic

development zone, joint economic development district or municipal tax on the same income greater than the tax imposed at the higher rate.

(g) A non-refundable credit will be allowed in such case where a resident of the City has paid municipal income tax to another City in error and the City is pursuing the payment of tax due on the income that was paid incorrectly if such tax is not refundable by the other city due to statute of limitations. Where collection efforts have begun by the City of Vandalia prior to the other City tax becoming non-refundable due to statute of limitations and the taxpayer has neglected or refused to obtain a refund from the other City, no credit shall be allowed.

(Ord. 67-28. Passed 12-4-67; Ord. 02-24. Passed 12-23-02.)